

Docket No. 046301-053000

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Heidari, et al.

Serial No.: 10/067,496

Filed: February 4, 2002

For: METHOD AND SYSTEM FOR  
IMPLEMENTING A SYSTEM  
ACQUISITION FUNCTION FOR USE  
WITH A COMMUNICATION DEVICE

FAX RECEIVED

)

) Group Art Unit: 2611

) Examiner: Don Nguyen Vo

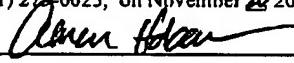
) Confirmation No.: 8340

) Date: November 20 2007

OFFICE OF PETITIONS

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for First Class Mail in an envelope addressed to: Mail Stop: Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or being facsimile transmitted to the USPTO at (571) 272-0025, on November 20 2007.

Signature: 

Name: Aaron Iwakura

**PETITION TO WITHDRAW APPLICATION**  
**FROM ISSUE UNDER 37 CFR § 1.313(c)**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Applicants hereby request that the above-identified application be withdrawn from issue pursuant to 37 C.F.R. § 1.313(c)(2) for consideration of a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 and an Information Disclosure Statement (IDS) filed concurrently herewith. The IDS discloses references from an international search report from 2003. Applicants learned after filing the issue fee that the search report references had been previously submitted by Applicants' prior attorneys in an IDS in 2003 which listed the wrong application serial number. As a result, Applicants discovered that the 2003 IDS and the search report references were never entered into the record for this case or considered by the Examiner in this case. Therefore, this Petition is being submitted along with an RCE and IDS in order to have the references considered by the Examiner.

11/23/2007 CKHLOK 0000002 503557 10067496

01 FC:1464 130.00 DA

10812506.1

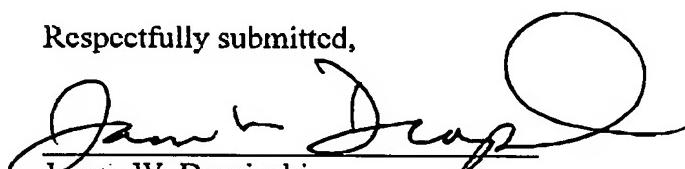
Docket No. 046301-053000

Serial No. 10/067,496

Page 2

The Commissioner is authorized to charge any fees which may be required (except payment of the issue fee), or credit any overpayment, to Deposit Account No. 50-3557.

Respectfully submitted,

  
James W. Drapinski  
Registration No. 46,242

NIXON PEABODY LLP  
Suite 900, 401 9<sup>th</sup> Street, N.W.  
Washington, D.C. 20004-2128  
(415) 984-8200

NOV 26 2007  
Date

10812506.1